

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 2-4, 9, and 13 are now pending in this application, of which claim 2 is independent. The remaining claims depend, directly or indirectly, from claim 2.

Claim Amendments

By way of this reply, claim 2 has been amended to clarify the invention. Specifically, the functions of the control means recited in the claim has been clarified. No new matter has been added by way of the amendment.

Rejection(s) under 35 U.S.C. § 103

Claims 2-3, 9, and 13 stand rejected under 35 U.S.C. § 103(a) as being obvious over AAPA in view of U.S. Patent No. 5,331,353 (“Levenson”) and U.S. Patent Patent 6,006,335 (“Choi”). Claim 4 also stands rejected under 35 U.S.C. § 103(a) as being obvious over AAPA in view of Levenson, Choi, and U.S. Published Application No.20020186325 (“Mear”). To the extent that this rejection may still apply to the claims as amended, the rejection is respectfully traversed for the reason set forth below.

One or more embodiments of the present invention are directed to a digital broadcast receiver capable of stopping a starting sequence and starting an ending sequence based on a user’s intention even during the execution of the starting sequence. To embody the function, for example, control part 7 counts the number of power source operations, and stops the starting

sequence so as to start the ending sequence if the power source operation is inputted during the starting sequence at least once (see, for example, paragraph starting on line 17 of page 8 in the original specification). This function is particularly convenient, for example, when a user performs the power source operation by mistake because it takes considerable time for the completion of the starting sequence in a digital broadcast receiving apparatus. According to the function, the user will still be able to perform a desired power source operation without waiting for the completion of the starting sequence in such a case (*see*, for example, paragraph starting on line 12 of page 11 in the original specification).

Accordingly, amended claim 2 includes, in part, a limitation of (1) “*A digital broadcast receiving apparatus for receiving a digital broadcast signal and outputting a video signal and a sound signal of a channel selected*” and (2) “*control means for starting execution of a starting sequence when a power source operation is inputted at a time of stopping the apparatus body, counting the number of power source operations inputted during execution of the starting sequence, and stopping the starting sequence to start execution of an ending sequence when the power source operation is inputted at least once during the execution of the starting sequence.*”

The Examiner acknowledge that the combination of AAPA and Levenson does not disclose the “*counts the number of power source operations.*” However, the Examiner asserts that Choi shows the element (see, the third paragraph on page 3 of the Office Action).

At the outset, Applicant respectfully notes that Choi is non-analogous art to the present invention and, accordingly, it is improper to apply Choi against the pending claims. Choi is directed to a computer system capable of selecting a display power management signaling (DPMS) mode of a PC display based on user’s operation. Thus, Choi is not in the same field of endeavor as the claimed invention. In fact, Choi is not directed to anything related to a digital

broadcast receiving apparatus that needs to execute a starting sequence prior to its operation. Additionally, Choi is not pertinent to the particular problem with which the present inventors were faced. Choi was not confronted with any problem related to waiting time for the completion of the starting sequence in a digital broadcast receiving apparatus, when a user performs the power source operation by mistake, as discussed above with regard to the claimed invention. Instead, Choi is directed to a system merely switching mode status of display power management, which is classified into ON, STAND-BY, and OFF. Accordingly, Choi is (A) not in the same field of endeavor as the present invention and (B) not pertinent to the particular problem with which the present invention were faced (*see*, MPEP 2141.01(a)). Accordingly, the application of Choi against the pending claim is improper.

Furthermore, even assuming *arguendo* that the references are properly applied, the combination cannot constitute the power supply unit of the claimed invention for the following reasons. As discussed above, the claimed invention includes a function to count the number of power source operations, to stop the starting sequence, and to start the ending sequence on a priority basis, if the power source operation is inputted during the starting sequence at least once. In contrast, none of AAPA, Levenson, and Choi, impliedly or expressly teach or suggest such a function of the claimed invention.

Instead, AAPA discloses a digital broad receiving apparatus merely having a function for executing a starting sequence which cannot be stopped by a user's intention. Levenson discloses a television control system having a master control device and slave control devices. Choi discloses a computer system capable of displaying a display power management signaling (DPMS) mode of a PC display.

The Examiner asserts that Choi discloses a function “to count the number of user key inputs in order to place the system into appropriate mode” on page 3 in the Office Action. However, the function included in the claimed invention is not merely a function to count the number of operations to change operation mode, but a function to count the number of power source operations to stop the starting sequence, and on a priority basis, execute the ending sequence as an exceptional process. Choi, like the other prior art, fails to teach or suggest anything about such a function to execute an exceptional process by priority.

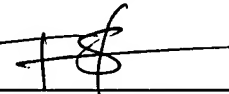
In view of the above, independent claim 2 is patentable over AAPA, Levenson, and Choi (1) Choi is non-analogous art, and it is improper to apply Choi against the pending claim, and (2) whether considered separately or in combination, the references fail to teach or suggest all of the limitation of the claim. Claims 3, 4, 9, and 13 are, directly or indirectly, dependent on claim 3. Therefore, claim 3, 4, 9, and 13 are also patentable for at least the same reasons as set forth above. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995/133001).

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Respectfully submitted,

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